

**6143. Misbranding of Dr. Brown's New Consumption Remedy. U. S. * * *
v. David H. Brown (Magnolia Remedy Co.). Plea of guilty. Fine,
\$50 and costs. (F. & D. No. 7656. I. S. No. 3603-1.)**

On November 26, 1916, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against David H. Brown, trading as the Magnolia Remedy Co., St. Augustine, Fla., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 18, 1916, from the State of Florida into the State of Georgia, of a quantity of an article labeled in part, "Dr. Brown's New Consumption Remedy," which was misbranded.

Analysis of the sample of the article by the Bureau of Chemistry of this Department showed that the product was a dark brown emulsion with an odor of creosote and a strong acid reaction. It contained, essentially, creosote, phosphoric acid, sodium phosphate, magnesium sulphate, glucose, sugar, and a trace of an unidentified alkaloid.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the label falsely and fraudulently represented it as a remedy for consumption, pneumonia, la grippe, and all diseases of the lungs and bronchial tubes, when, in truth and in fact, it was not. It was further alleged in substance that the article was misbranded for the reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a cure for consumption, pneumonia, sore throat, pleurisy, and all diseases of the respiratory organs, and as a preventive of consumption, when, in truth and in fact, it was not.

On December 8, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

R. A. PEARSON, *Acting Secretary of Agriculture.*